

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VINCENT L. MOLINA

Plaintiff,

v.

No. 15-cv-0351 RB/SMV

ERNESTO R. JACKSON,

Defendant.

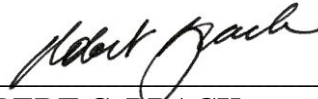
**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. 41] ("PF&RD"), issued on April 26, 2016. On reference by the undersigned [Doc. 2], the Honorable Stephan M. Vidmar, United States Magistrate Judge, found that Plaintiff failed to exhaust his administrative remedies with regard to all claims and offered nothing excusing his failure to exhaust. [Doc. 41]. Thus, he recommended that Defendant's Motion for Summary Judgment [Doc. 30] be granted and that Plaintiff's claims be dismissed without prejudice. *Id.* at 7. No party objected to the PF&RD, and the time for doing so has passed.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. 41] are ADOPTED. Defendant's Motion for Summary Judgment [Doc. 30] is GRANTED, and all of Plaintiff's claims against Defendant are DISMISSED without prejudice.

IT IS FURTHER ORDERED that Plaintiff's Request for Extension of Time to respond to Defendant's Motion for Summary Judgment [Doc. 40] is GRANTED and Plaintiff's request that the Court hold Defendant in contempt as a discovery sanction, *see* [Doc 29] at 2, is DENIED.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Robert C. Brack", is written over a horizontal line.

ROBERT C. BRACK
UNITED STATES DISTRICT JUDGE